



Parliament of New South Wales

# Committee on Children and Young People

Report 3/56 – August 2017

2017 Review of the Annual Reports of the Advocate for Children and Young People and the Children's Guardian



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Chair: Melanie Gibbons MP

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The motto of the coat of arms for the state of New South Wales is "Orta recens quam pura nites". It is written in Latin and means "newly risen, how brightly you shine".

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# Membership

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## Chair's foreword

There is much opportunity available to everyone who lives in New South Wales, especially for our children and young people. While they face challenges that are unique to their generation, the prospects for our children and young people have never been brighter.

The Committee on Children and Young People has the task of overseeing the NSW Advocate for Children and Young People, as well as the NSW Children's Guardian. While the Children's Guardian works to ensure that spaces children occupy are safe, including through the Working with Children Check, the Advocate has a broader mission of making New South Wales a better place for children and young people.

The 2017 Review of the Children's Guardian and Advocate for Children and Young People gave the Committee the opportunity to consider the Annual Reports of both agencies, and to meet with their heads to discuss the achievements of the past year and the future focus of each agency.

The Committee is always mindful of its genesis following the Wood Royal Commission. We have a special focus on the needs of vulnerable and disadvantaged children and young people, and we are always keen to hear how the agencies are responding to the needs of these vulnerable citizens of New South Wales.

This Review period marks the end of the tenure of the Children's Guardian, Ms Kerryn Boland. Ms Boland has led the Office of the Children's Guardian with distinction. The Committee thanks her for her great service and wishes her well in her future endeavours.

This report captures the key themes of our 2017 Review. I would like to thank my fellow Committee members and acknowledge the support of the very capable committee secretariat.

**Melanie Gibbons MP**  
Chair

# Recommendation

Recommendation 1 \_\_\_\_\_ 1

That the Minister for Family and Community Services and Minister for the Prevention of Domestic Violence and Sexual Assault conducts a review of the incidence of violence against children.

# Chapter One – The Advocate for Children and Young People

- 1.1 The Committee on Children and Young People oversees the Advocate for Children and Young People (the ACYP). As part of this role, the Committee holds an Annual Review. The Committee held a hearing with the Advocate on 3 April 2017 in relation to its 2016 Annual Report.
- 1.2 In conducting this review, the Committee has identified three major themes: encouraging participation, engagement and inclusion; learning life skills; and concerns about violence towards children. The Committee also sought an update on the Advocate's work to implement recommendations from the Committee's inquiry into sexualisation of children and young people.

## Addressing violence against children

### Recommendation 1

**That the Minister for Family and Community Services and Minister for the Prevention of Domestic Violence and Sexual Assault conducts a review of the incidence of violence against children.**

- 1.3 A major issue raised within the 2016 Youth Advisory Council was violence against children and young people. In fact, in polling which informed the NSW Strategic Plan for Children and Young People 2016-2019<sup>1</sup>, children said that their biggest fear was crime and violence (17%).<sup>2</sup>
- 1.4 The Committee shares these concerns and is recommending that the Minister for Family and Community Services and Minister for the Prevention of Domestic Violence and Sexual Assault conduct a review of the incidence of violence against children.
- 1.5 The Committee heard that there are concerns about how violence towards children and young people is represented in the media, and particular concern that it was only considered a secondary focus in regards to domestic violence. 2016 Chair of the Youth Advisory Council, Ms Abdel-Rehim, stated:

Discussion very much surrounded the issue of violence being represented in the media and in larger social scale as being an issue of violence directed towards women and their children ... although it highlights a major issue that is happening in society. We felt that maybe issues towards children and young people were seen as secondary, and that was the issue that we were seeing.<sup>3</sup>

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<sup>1</sup> Office of the Advocate for Children and Young People, NSW Strategic Plan for Children and Young People 2016-2019, July 2016: <http://www.acyp.nsw.gov.au/plan> (accessed 10 July 2017).

<sup>2</sup> Annual Report 2016, Office of the Advocate for Children and Young People, p. 10.

<sup>3</sup> Ms Brenella Abdel-Rehim, Chair, 2016 NSW Youth Advisory Council, Transcript of Evidence, 3 April 2017, p.14.

1.6 Ms Abdel-Rehim later nominated violence against children and young people as a future area of inquiry for the Committee.<sup>4</sup> In answers to questions on notice, the Youth Advisory Council nominated two inquiry topics, one of which was the impact of violence perpetrated against children and young people by adults.<sup>5</sup>

1.7 The Advocate for Children and Young People, Mr Andrew Johnson, expressed concern that the impact of violence on children and young people was not being taken seriously, particularly in lower socio-economic areas, and commented on the role played by the media:

What children and young people are talking about, particularly when we are in lower socio-economic areas or with children who are doing it tough, is that they often feel like the violence perpetrated against them is not taken as seriously as violence that is perpetrated against adults. Whether that is the factual case, we cannot comment on. But we can comment on the large number of children who do feel like violence against them is not discussed or raised in the same way they think it should be, nor getting the same amount of attention. Media is one of the major issues that comes up in consultations with children and young people all the time, whether they are depicted stereotypically but also in this specific instance, in relation to violence that is perpetrated against them.<sup>6</sup>

1.8 The Advocate told the Committee that the ACYP would focus on violence against children in the coming year:

We very much want to concentrate on the issues of violence against children and making the invisible visible. Interestingly, without talking to the Youth Advisory Council, they came to the same conclusion, that we need to do major work in this area. It will be one of our key focuses in this coming year. We will be working with non-government organisations [NGOs] and government agencies to ensure we are highlighting the issue.<sup>7</sup>

1.9 In answers to questions on notice, the ACYP advised that it is developing initiatives to prevent violence against children and young people to reduce its impacts.<sup>8</sup>

1.10 The Committee will keep a watching brief in relation to these important initiatives.

### **Encouraging participation and engagement by children and young people**

1.11 The Committee heard about the Advocate's work to build participation and engagement by children and young people in decision making processes.

1.12 The ACYP consulted with 2,434 children and young people in preparing the NSW Strategic Plan for Children and Young People 2016-2019.<sup>9</sup> This included consultations with over 500 organisations, and regional consultations with

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<sup>4</sup> Ms Abdel-Rehim, Transcript, p.21.

<sup>5</sup> ACYP, Answers to Questions on Notice, p.2

<sup>6</sup> Mr Andrew Johnson, Advocate for Children and Young People, Transcript of Evidence, 3 April 2017, p.15.

<sup>7</sup> Mr Johnson, Transcript, p.15.

<sup>8</sup> ACYP, Answers to Questions on Notice, p.4.

<sup>9</sup> ACYP Annual Report 2016 p.9 and NSW Strategic Plan.

government and non-government in the Central Coast, Hunter New England, Illawarra Shoalhaven, Far West, and South West Sydney.<sup>10</sup>

- 1.13 The Committee heard that the ACYP used different approaches to encourage participation and engagement with children and young people, including digital and online technologies. The ACYP produced eight videos highlighting best-practice in participation,<sup>11</sup> and hosted events including a *Participation in Practice* event to mark the 2015 Children's Week and a *Youth Led Initiatives* event to mark the 2016 Youth Week.<sup>12</sup>
- 1.14 When consulted by the ACYP, children and young people said they did not identify with images portraying them on websites and the general media.<sup>13</sup> The ACYP launched the *Real NSW* photo competition in May 2016 to give children and young people the opportunity to participate in changing how they are portrayed. Entrants had a chance to win prizes and have their photos publicly displayed.<sup>14</sup>
- 1.15 The Advocate told the Committee that the ACYP's *Real NSW* publication was designed to give children and young people a say on how they are depicted in the media by submitting photos of themselves in everyday situations:
- We launched *Real NSW* ... That was children and young people responding that the pictures that are used about them are not real or genuine and do not depict their lives. We were able to highlight pictures that young people took themselves. We have updated online resources for organisations wanting to build their participation practice. During this period we also launched the website, which was a co-design process with children and young people over a period of time and we continue to test, trial, amend and improve our current digital presence based on input from children and young people.<sup>15</sup>
- 1.16 The Committee heard that the ACYP continues to work with the Department of Education to promote participation by students, with a focus on open feedback dialogue, including the *Tell Them From Me* survey. This is an online survey run by the Centre for Education Statistics and Evaluation that helps schools capture the views of students, teachers and parents.<sup>16</sup>
- 1.17 The Youth Advisory Council (YAC) also plays a role in building participation and engagement by children and young people. The ACYP establishes the YAC and provides secretariat support and training for YAC members on policy processes and government relations.
- 1.18 Over 300 children and young people applied for a position on YAC in 2016. The Advocate and ACYP staff shortlisted applicants and invited them to a one day

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<sup>10</sup> ACYP Annual Report 2016, p.4.

<sup>11</sup> Mr Johnson, Transcript, p.12.

<sup>12</sup> ACYP Annual Report 2016, p.4.

<sup>13</sup> ACYP Annual Report 2016, p.11.

<sup>14</sup> ACYP, *Real NSW* Photo Competition: <http://www.acyp.nsw.gov.au/real-nsw> (accessed 6 June 2017)

<sup>15</sup> Mr Johnson, Transcript, p.12.

<sup>16</sup> NSW Department of Education, *Tell Them From Me*: <http://surveys.cese.nsw.gov.au/> (accessed 6 June 2017)

recruitment event. Following the event, the Advocate made recommendations for 12 Youth Advisory Councillors to then Minister the Hon John Ajaka MLC.<sup>17</sup>

- 1.19 The 12 selected members are a diverse group of young people, including cultural and linguistically diverse (CALD) backgrounds, Aboriginal young people, male and female, and from regional and rural areas.<sup>18</sup>
- 1.20 Mr Declan Drake, Chair of the 2017 YAC, told the Committee that ‘the council is very diverse and is truly representative of the diverse range of people in New South Wales as well. I think it is important ... to ensure that the advice we give does reflect everybody and not just a certain group.’<sup>19</sup>

### **Promoting children and young people’s life skills**

- 1.21 The Committee heard that a key focus for the ACYP has been life skills promotion and education. The ACYP told the Committee that children and young people need more access to information to navigate the world into adulthood, particularly better understanding their rights in relation to renting and employment:

In a recent piece of research, young people were saying that they did not quite understand their rights, and we asked them to rank which of those rights. Interestingly ... renting is a really big issue for children and young people and navigating that.<sup>20</sup>

- 1.22 The Committee heard that the ACYP has been working with government and non-government organisations to make information available to young people on digital platforms on employment and renting rights. At the hearing, the Advocate outlined the kinds of rights the ACYP was highlighting:

Understanding their rights at work. We have been working with, as we do, different government departments. ... We are now looking into the area of how do we work with government agencies but also non-government agencies about providing children and young people with the best information. There are some quite good websites and services out there. I think that is what led us to look at our local project, which is detailed in the [NSW Strategic] plan, which is providing a digital platform to get all the information, whether it is events or rights or whatever the case may be, in one location.<sup>21</sup>

- 1.23 The Committee also heard that the ACYP has been working with the NSW Board of Studies, now known as the NSW Education Standards Authority, to review the Personal Development, Health and Physical Education curriculum to focus on life skills and life skills training.<sup>22</sup>

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<sup>17</sup> ACYP Annual Report, pp.13-14.

<sup>18</sup> Ms Abdel-Rehim, Transcript, p.13.

<sup>19</sup> Mr Declan Drake, Chair, 2017 NSW Youth Advisory Council, Transcript of Evidence, 3 April 2017, p.13.

<sup>20</sup> Mr Johnson, Transcript, p.17.

<sup>21</sup> Mr Johnson, Transcript, p.17.

<sup>22</sup> Mr Johnson, Transcript, p.14.

### Addressing the sexualisation of children and young people

- 1.24 During the Review, the Committee sought an update from the Advocate on the implementation of recommendations from the Committee's inquiry into the sexualisation of children and young people.
- 1.25 The Advocate advised that the ACYP was working to progress the Committee's recommendations. At the time of the hearing, the ACYP had met with the eSafety Commissioner and was examining law reform and education in relation to non-consensual sharing of intimate images.<sup>23</sup>
- 1.26 After the Review hearing, the Government released its response to the inquiry, which detailed the following work being undertaken by the Advocate:
- Actively monitoring research into young people's use of and attitudes towards pornography and scoping opportunities for further research
  - Exploring opportunities with the eSafety Commissioner and industry stakeholders to reduce children and young people's exposure to pornography and cyber bullying
  - Identifying and promoting credible, age-appropriate, evidence-based websites and other materials in relation to children and young people
  - Liaising with the eSafety Commissioner to determine the best ways to support and promote its work to children and young people, including through digital and social media
  - Monitoring research on the creation and distribution of sexts by minors and scoping key areas of inquiry with stakeholders
  - Promoting mechanisms for reporting inappropriate content and continuing to work with relevant departments and agencies to reinforce the powers and mandate of the eSafety Commissioner.<sup>24</sup>
- 1.27 The Committee also became aware of the age verification scheme in the UK under the *Digital Economy Act 2017* to prevent children and young people under the age of 18 from accessing pornographic content online. This Act seeks to restrict access to online pornography by people under 18 years of age through age verification processes. Websites containing pornographic material that do not comply with age verification regulations will be blocked.
- 1.28 The ACYP told the Committee that it will monitor the impact of the *Digital Economy Act 2017*.<sup>25</sup>

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<sup>23</sup> Mr Johnson, Transcript, p.20.

<sup>24</sup> New South Wales Government Response, Report 2/56: Sexualisation of Children and Young People, May 2017: <https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryReport/GovernmentResponse/6088/Government%20Response.pdf> (accessed 10 July 2017)

<sup>25</sup> ACYP, Answers to Questions on Notice, p.1.

## Chapter Two – The Children's Guardian

- 2.1 The function of the Office of the Children's Guardian under *the Child Protection (Working with Children) Act 2012* is to collect and maintain data, and assess and monitor applications and applicants obtaining a Working with Children Check (WWCC). In addition, it monitors organisations and programs that work with children and young people. During the Review, issues the Committee focused on were compliance with the WWCC and shared responsibility for children's safety.

### Ensuring compliance with Working With Children's Checks

- 2.2 Major reforms with the NSW WWCC system took place in 2013, with the Children's Guardian identifying the key strengths of the new system as follows:

- More people working with children requiring WWCCs in child-related work, including volunteers
- More information exchange with other agencies, employers and law enforcement
- Continuous checking systems to monitor recipients after acquiring their WWCCs
- Reviewing every WWCC after five years, including a national criminal history check.<sup>26</sup>

- 2.3 The Committee heard that the Office of the Children's Guardian (OCG) aims for 100 per cent compliance by agencies and employers. The OCG works to achieve compliance with the WWCC system by:

- Ensuring applications are registered correctly
- Placing all necessary interim bars during risk assessments
- Following up with employers to notify them of interim bars
- Continuing to check WWCCs after applications have been granted
- Educating agencies and organisations about compliance requirements
- Having access to databases maintained by the Commonwealth Australian Criminal Intelligence Commission, Family and Community Services and, in certain circumstances, access to the Key Information and Directory System. These inform the OCG of new events or offences by a WWCC holder, enabling the OCG to follow up with risk assessments.<sup>27</sup>

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<sup>26</sup> Annual Report 2015-16, Office of the Children's Guardian, p.41.

<sup>27</sup> Ms Louise Coe, Director, Child Safe Organisations, Office of the Children's Guardian, Transcript of Evidence, 3 April 2017, pp.3 - 8.

- 2.4 The Committee heard that the OCG have referred four non-compliant cases to the NSW Police since 2013. Three were prosecuted by the Office of the Director of Public Prosecutions with the following outcomes:
- Applicant 1 was convicted of three counts of 'engage in child-related work without clearance/application' and sentenced to 6 months imprisonment to commence 5 July 2016, expiring 4 January 2017. The sentence was ordered to be served concurrently, with sentences imposed with respect to the other related offences
  - Applicant 2 was placed on a good behaviour bond and fined \$1,000
  - Applicant 3 was convicted and placed on a good behaviour bond for 20 months and accepted the following conditions: the offender must be of good behaviour and appear before the court during the bond term if required.<sup>28</sup>
- 2.5 Ms Kerryn Boland, the Children's Guardian highlighted that the key strength in the new system is that WWCCs are continuously checked:
- The continuous check event means if someone is charged with a relevant offence in New South Wales that event will come to us from the police ... so previously it used to be point in time. So you got a Working With Children Check and the next time they got checked was when they went to another employer. This is just continuous and operates across the life of the Working With Children Check for five years. I think this is one of the substantial improvements in the Working With Children Check ... we have had 709 notifications or continuous check events that have required us to risk assess.<sup>29</sup>
- 2.6 The OCG outlined in their annual report that continuous check events increased from 343 in 2013-2014 to 2,039 in 2015-2016.<sup>30</sup>
- 2.7 The OCG processed 339,620 WWCC applications in 2015-2016. Given the number of applications requiring risk assessments, the system experienced a short period of delays. Despite this, 75 per cent of applications were processed within one working day, and 81 per cent were processed within two working days.<sup>31</sup>
- 2.8 The OCG further highlighted that of the 339,620 WWCC applications:
- 39,288 (93 per cent) did not require risk assessments under the *Child Protection (Working with Children) Act 2012* and were cleared
  - Overall, 69 per cent of applicants with no records or non-relevant records were cleared within 24 hours
  - Where a relevant record was identified, 373 applicants were automatically disqualified and 2,631 referred for risk assessment

<sup>28</sup> Ms Kerryn Boland, Children's Guardian, Further Information to Questions on Notice, p.1.

<sup>29</sup> Ms Boland, Transcript, p.6.

<sup>30</sup> OCG Annual Report 2015-16, p.41.

<sup>31</sup> OCG Annual Report 2015-16, pp.42, 44.

- 1,441 applicants were undergoing a review to determine if a risk assessment was required in accordance with the *Child Protection (Working with Children) Act 2012*.<sup>32</sup>

2.9 The OCG has embarked on the statutory five year review of the WWCC and has released a discussion paper as part of the review. The Committee sought the Guardian's view on the possibility of a nationally administered WWCC. Ms Boland told the Committee that the OCG's response to an issues paper produced by the Royal Commission into Institutional Responses to Child Sexual Abuse had recommended that there be consistent WWCC standards across Australia, with operation and administration kept at the State level:

I think our point of view was that it should be nationally consistent but operated at the State level, and that was for a number of reasons, particularly from our perspective as the operator, which is all about local connections, connections with our initiatives and what would be the best safety net for keeping kids safe. Yes, we strongly support a national approach and are looking forward to the outcomes of the discussions that are happening now at the Federal and State levels about progressing that.<sup>33</sup>

#### **Emphasising that child safety is a shared responsibility**

2.10 The Committee heard that the OCG has encouraged organisations, parents and guardians to be engaged and proactive in creating child safe environments. The office has done this by promoting community awareness and providing education and training on the policies and practices of child safe environments; with an aim of developing a mindset that child safety is a shared responsibility.<sup>34</sup>

2.11 The Children's Guardian stressed that parents need to assume more responsibility, launching the campaign "Parents Check the Check".<sup>35</sup> The objective of this campaign was to encourage parents to:

- Ensure home tutors have WWCCs, even if they have been highly recommended by other parents or teachers
- Create a child-safe environment for home tutoring by ensuring there is a line of sight in the house during all tutoring sessions
- Ensure their children will be adequately supervised when dropping them off at sporting or activity clubs, and not assume that the clubs will automatically take responsibility for their children.<sup>36</sup>

2.12 The Children's Guardian emphasised that the WWCC should not be relied on as the only way to ensure child safety. Ms Boland stated at the hearing that the

<sup>32</sup> OCG Annual Report 2015-16, p.44.

<sup>33</sup> Ms Boland, Transcript, p.6.

<sup>34</sup> OCG Annual Report 2015-16, p.55.

<sup>35</sup> Office of the Children's Guardian, Parents Check the Check: <http://www.kidsguardian.nsw.gov.au/child-safe-organisations/parents-check-the-check> (accessed 8 June 2017)

<sup>36</sup> Ms Boland, Transcript, p.10.

WWCC 'is a tool – and in my opinion a very good screening tool – but ... we need to work more with organisations and we need to look at child-safe principles.'<sup>37</sup>

2.13 The Children's Guardian told the Committee that the OCG is looking to work more with organisations to embed child safe principles, particularly in volunteer organisations, by issuing guidelines for a child safe environment and duty of care, and educating organisations on detecting people who are unsuitable to work with children or pose a risk.

2.14 The Children's Guardian defined child safe principles as follows:

- Principle 1: The organisation focuses on what is best for children
  - Aim: That children know their rights, they are listened to and their concerns are taken seriously
- Principle 2: All children are respected and treated fairly
  - Aim: That all children are treated fairly, regardless of ethnicity, culture, religion, sexuality and abilities
- Principle 3: Children's families and communities are welcome and encouraged to participate in the organisation
  - Aim: Families support children to participate and take an interest in the organisation
- Principle 4: Children receive services from skilled and caring adults
  - Aim: Staff and volunteers are supervised and supported and know how they should behave towards children.<sup>38</sup>

#### **Appointment of a new Children's Guardian**

2.15 The Children's Guardian informed the Committee on 25 May 2017 that her appointment will finish on 9 June 2017. On 1 June 2017, the Minister for Family and Community Services announced the appointment of Ms Janet Schorer as the new Children's Guardian, commencing 11 July 2017.

2.16 The Committee thanks Ms Kerryn Boland for her tireless work as the Children's Guardian since 2005.

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<sup>37</sup> Ms Boland, Transcript, p.8.

<sup>38</sup> Office of the Children's Guardian, Principles for Child Safe Organisations (Consultation Draft), April 2017: <http://www.kidsguardian.nsw.gov.au/about-us/news/principles-for-child-safe-organisations-released-for-consultation> (accessed 8 June 2017)

## Appendix One – Committee's functions

The Committee's functions include:

- monitoring and reviewing the Advocate's exercise of their functions
- monitoring and reviewing the Children's Guardian exercise of functions under the *Child Protection (Working with Children) Act 2012*
- reporting to Parliament on any matter relating to the Advocate or connected with the exercise of the Advocate's functions, or on any matter relating to the exercise of the Children's Guardian's functions under the *Child Protection (Working with Children) Act 2012*
- examining each annual or other report of the Advocate and reporting to Parliament on any matter appearing in, or arising out of, any such report
- examining trends and changes in services and issues affecting children and young people, and reporting to Parliament any changes that the Committee thinks desirable to the Advocate's functions and procedures
- inquiring into and reporting on any question in connection with the Advocate's functions referred by Parliament.

The Committee's functions can be found in Part 7 of the *Advocate for Children and Young People Act 2014*.

## Appendix Two – Relevant documents

<a href="#">Annual Report 2016</a>	Office of the Advocate for Children and Young People
<a href="#">Annual Report 2015-16</a>	Office of the Children’s Guardian
<a href="#">NSW Strategic Plan 2016-2019</a>	Office of the Advocate for Children and Young People
<a href="#">Hearing Transcript, 3 April 2017</a>	Committee on Children and Young People
<a href="#">Answers to Questions on Notice</a>	Office of the Advocate for Children and Young People
<a href="#">Clarification from Witness</a>	Office of the Children’s Guardian
<a href="#">Answers to Questions on Notice</a>	Office of the Children’s Guardian
<a href="#">Attachment 1 – Answers to QON</a>	Office of the Children’s Guardian
<a href="#">Attachment 2 – Answers to QON</a>	Office of the Children’s Guardian
<a href="#">Further Information to QON</a>	Office of the Children’s Guardian
<a href="#">Principles for Child Safe Organisations (Consultation Draft)</a>	Office of the Children’s Guardian
<a href="#">Submission to the Royal Commission into Institutional Responses to Child Sexual Abuse – Issues Paper 1 – Working with Children Check</a>	Office of the Children’s Guardian

## Appendix Three – Witnesses

**Monday, 3 April 2017**  
**Jubilee Room, Parliament House**

<b>Witness</b>	<b>Organisation</b>
Ms Kerry Boland Children's Guardian	Office of the Children's Guardian
Ms Louise Coe Director, Child Safe Organisations	Office of the Children's Guardian
Mr Andrew Johnson Advocate	Advocate for Children and Young People
Mr Declan Drake Chair	2017 Youth Advisory Council
Ms Brenella Abdel-Rehim Chair	2016 Youth Advisory Council

## Appendix Four – Extract from minutes

### MINUTES OF MEETING No 12

Monday, 3 April 2017, 9:45am  
Jubilee Room, Parliament House

#### Members Present

Ms Gibbons (Chair), Mr Tudehope, Ms Cusack, Mr Donnelly, Mr Green, Ms Harrison and Mr Johnsen

#### Officers in Attendance

Jason Ardit, Emma Matthews and Abegail Turingan

**1. \*\*\***

**2. 2017 Review of the Advocate for Children and Young People and the Children’s Guardian**  
Resolved, on the motion of Mr Johnsen:

- That the Committee commence an examination of the Annual Report of the Office of the Children’s Advocate and a review of the functions of the Children’s Guardian under the *Child Protection (Working with Children) Act 2012*;
- That the Committee hold a hearing on 3 April 2017 in relation to its Review of the Advocate for Children and Young People and the Children’s Guardian;
- That the Committee invite the following witnesses to give evidence at the hearing of 3 April 2017:
  - Kerryn Boland, Children’s Guardian
  - Louise Coe, Office of the Children’s Guardian
  - Andrew Johnson, Advocate for Children and Young People
  - Declan Drake, Chair Youth Advisory Council
  - Brenella Abdel-Rehim, Past Chair, Youth Advisory Council;
- That the corrected transcript of evidence given on 3 April 2017 be authorised for publication and uploaded on the Committee’s website;
- That the Committee authorise the audio-visual recording, photography and broadcasting of the public hearing on 3 April 2017 in accordance with the NSW Legislative Assembly’s guidelines for coverage of proceedings for parliamentary committees administered by the Legislative Assembly; and

- That the witnesses be requested to return answers to questions taken on notice and supplementary questions within three weeks of the date on which the questions are sent to witnesses

**3. Public hearing - 2017 Review of the Advocate for Children and Young People and the Children's Guardian**

The Chair opened the public hearing at 10:00am. Witnesses and the public were admitted.

Kerryn Boland, Children's Guardian and Louise Coe, Office of the Children's Guardian were sworn and examined.

Evidence concluded, the witnesses withdrew. The Committee adjourned at 11:04am and resumed at 11:12am.

Andrew Johnson, Advocate for Children and Young People, Declan Drake, Chair Youth Advisory Council and Brenella Abdel-Rehim, Past Chair, Youth Advisory Council were affirmed and examined.

Evidence concluded, the witnesses and the public withdrew.

**4. \*\*\***

**5. Next meeting**

The Committee adjourned at 12:13pm until a date and time to be determined.

**MINUTES OF MEETING No 13**

Monday, 4 May 2017, 12:07pm  
Room 814-815, Parliament House

**Members Present**

Ms Gibbons (Chair), Mr Tudehope, Ms Cusack, Mr Donnelly, Mr Green, and Mr Johnsen

**Apologies**

Ms Jodie Harrison

**Officers in Attendance**

Jason Arditi, Emma Matthews and Abegail Turingan

**1. Confirmation of Minutes**

Resolved, on the motion of Mr Johnsen: That the draft minutes of meeting no 12, held on 3 April 2017, be confirmed.

**2. 2017 Review of the Advocate for Children and Young People and the Children's Guardian**

Resolved, on the motion of Mr Johnsen: That the publication of the answers to questions on notice and supplementary questions provided by the Children's Guardian and the Advocate for Children and Young People be authorised, and hyperlinks included as appropriate.

Resolved, on the motion of Ms Cusack: That the Chair write to the Children's Guardian requesting further information on the prosecution referred to on page 9 of the hearing transcript.

**3. \*\*\***

**4. Next meeting**

The Committee adjourned at 12:21pm until 25 May 2017 at a time to be determined.

**MINUTES OF MEETING No 14**

Monday, 25 May 2017, 12:06pm  
Room 1043, Parliament House

**Members Present**

Ms Gibbons (Chair), Mr Tudehope, Ms Cusack, Mr Donnelly, Ms Harrison, and Mr Johnsen.

**Apologies**

Mr Paul Green

**Officers in Attendance**

Jason Ardit, Emma Matthews and Abegail Turingan

**1. Confirmation of Minutes**

Resolved, on the motion of Mr Johnsen: That the draft minutes of meeting no 13, held on 4 May 2017, be confirmed.

**2. 2017 Review of the Advocate for Children and Young People and the Children's Guardian**

Resolved, on the motion of Mr Johnsen: That the publication of the additional information for questions on notice provided by the Children's Guardian on 19 May 2017 be authorised.

**3. \*\*\***

**4. Next meeting**

The Committee adjourned at 1:01pm until the next meeting to be held at a time to be determined.

**MINUTES OF MEETING NO 16**

1.36pm, Thursday 10 August 2017  
Room 1254, Parliament House

**Members present**

Ms Gibbons (Chair), Mr Tudehope, Ms Harrison, Mr Johnsen, Ms Cusack, Mr Donnelly and Mr Green

**Staff present**

Jason Arditi, Dora Oravec, Stephanie Mulvey, Mohini Mehta

**1. Confirmation of minutes**

Resolved, on the motion of Mr Donnelly: That the minutes of the meeting of 21 June 2017 be confirmed.

**2. \*\*\***

**3. 2017 Review of the Annual Reports of the Advocate for Children and Young People and the Children's Guardian**

**Consideration of Chair's draft report**

The Committee agreed to consider the Chair's draft report in globo.

Resolved on the motion of Mr Tudehope: That the Committee adopt the draft report as the report of the Committee, to be signed by the Chair and presented to the House; that the Chair and the secretariat be permitted to correct stylistic, typographical and grammatical errors; and that, once tabled, the report be published on the Committee's website.

**4. \*\*\***

**5. \*\*\***

**6. Next meeting**

The meeting adjourned at 2.00pm until 1.30pm on 14 September 2017.